

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|---|
| Applicant: Dan L. Eaton et al. | Group Art Unit: 1646 |
| Serial No.: 10/015,967 | Examiner: Dong Jiang |
| Filed: December 7, 2001 | Attorney Docket No: 22338-501 (P1447R1) |
| Confirmation No.: 9428 | |
| Title: Interleukin-8 Homologous Polypeptides and Therapeutic Uses Thereof | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, it is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Form PTO/SB/08 is enclosed with this Information Disclosure Statement. Additionally, copies of the foreign patent documents and non-patent literature documents are also enclosed. Copies of the U.S. patent documents are not enclosed pursuant to 37 CFR § 1.98(a)(2)(ii) and the U.S. Patent and Trademark Office's Waiver of the Copy Requirement in 37 CFR 1.98 for Cited Pending U.S. Patent Applications, 1287 O.G. 163 (Oct. 19, 2004).

2. Applicants direct the Examiner's attention to the commonly owned and pending U.S. patent applications listed below.

| Serial No. | U.S Publication No. | Filing Date | First Inventor |
|------------|---------------------|-------------|----------------|
| 10/795,503 | 2006-0210991 | 03/09/2004 | Eaton |
| 10/795,482 | 2006-0019307 | 03/09/2004 | Eaton |

| Serial No. | U.S Publication No. | Filing Date | First Inventor |
|-------------------|----------------------------|--------------------|-----------------------|
| 10/886,040 | 2005-0100544 | 07/08/2004 | Eaton |
| 11/407,991 | 2006-0183169 | 04/21/2006 | Eaton |
| 11/528,596 | Not Yet Available | 09/28/2006 | Eaton |

3. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).


4. Applicant notes that EP 1111046, which is reference number 113 on the attached Form PTO/SB/08, is the European regional phase application of the previously considered international application WO 00/14226, which is reference number 95 on the Form PTO-1449 that was submitted on February 28, 2003 and initialed by the Examiner on March 18, 2004.

5. It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO/SB/08, and indicate in the official file wrapper of this patent application that the documents have been considered.

6. This Information Disclosure Statement is filed after the mailing of a first Office Action on the merits. The Commissioner is authorized to charge the required fee for this Information Disclosure Statement to Deposit Account No. 18-1260.

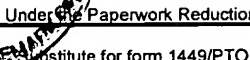
Respectfully submitted,

November 16, 2006



Gary L. Veron
Registration No. 39,057
Attorney for Applicant

SIDLEY AUSTIN LLP
1501 K Street, N.W.
Washington, D.C. 20005
(202) 736-8000



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

(Use as many sheets as necessary)

| | | | |
|-------|---|----|---|
| Sheet | 1 | of | 2 |
|-------|---|----|---|

| | |
|------------------------|---------------------|
| Application Number | 10/015,967 |
| Filing Date | December 7, 2001 |
| First Named Inventor | Dan L. Eaton |
| Art Unit | 1646 |
| Examiner Name | Dong Jiang |
| Attorney Docket Number | 22338-501 (P1447R1) |

[illegible]

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-----------------------|---|------------------|---|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ --Number ⁴ --Kind Code ⁵ (if known) | MM-DD-YYYY | | | |
| | 113 | EP 1111046 | 06-27-2001 | Itoh et al. | | |
| | 114 | WO 99/60160 | 11-25-1999 | Yang et al. | | |
| | 115 | WO 98/33926 | 08-06-1998 | Billing-Medel et al. | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

**Examiner
Signature**

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND**

TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | | | |
|--|------|--------------------------|---------------------|
| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | Complete if Known | |
| | | Application Number | 10/015,967 |
| | | Filing Date | December 7, 2001 |
| | | First Named Inventor | Dan L. Eaton |
| | | Art Unit | 1646 |
| | | Examiner Name | Dong Jiang |
| Sheet 2 | of 2 | Attorney Docket Number | 22338-501 (P1447R1) |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|---|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | 116 | JONES; GenTHREADER: An Efficient and Reliable Protein Fold Recognition Method for Genomic Sequences; J. Mol. Biol. (1999) 287, 797-815 | |
| | 117 | FAGAN; Nicastrin, a presenilin-interacting protein, contains an aminopeptidase/transferrin receptor superfamily domain; TRENDS in Bioch. Sciences; April 2001; 26(4): 213-14 | |
| | 118 | PISABARRO et al.; Cutting Edge: Novel Human Dendritic Cell- and Monocyte Attracting Chemokine-Like Protein Identified by Fold Recognition Methods; J. Immun. (2006) 2069-73 | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

| | |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.